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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wei-Zhong Li
Patent No. : 6,751,366
Issue Date : June 15, 2004
Serial No. : 10/075,432
Filed : February 12, 2002
Title : MULTI-PORT CIRCULATOR

Art Unit : 2874
Examiner : Akm E. Ullah

MAIL STOP PETITIONS (c/o OPLA)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR §1.705(d)

Applicant hereby petitions for reconsideration of the Patent Term Adjustment (PTA) accorded the above-referenced patent. Attached herewith is a copy of the Issue Notification including a Determination of Patent Term Adjustment under 35 U.S.C. 154(b), mailed May 27, 2004, for the above-referenced patent, which issued on June 15, 2004. The notification, as well as the face of the patent, states that the total Patent Term Adjustment at issuance is 87 days. Reconsideration of the Patent Term Adjustment to decrease Applicant Delay from 120 days to 5 days, and to increase Total PTA from 87 to 202 days, is respectfully requested.

08/09/2004 SHASSEN2 00000048 10075432

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200.00 DP

08/09/2004 SHASSEN2 00000048 10075432

01 FC:1455

200.00 DP

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV 321181173 US

August 4, 2004

Date of Deposit

REVIEW OF PATENT TERM ADJUSTMENT CALCULATION

A review of the Patent Term Adjustment History in the PAIR/PALM system shows that the United States Patent and Trademark Office (PTO) calculated the Patent Term Adjustment (PTA) as follows:

- 1) The PTO mailed a delayed 14-month first action, a Notice of Allowance, on August 22, 2003. Applicant agrees with the calculated PTO Delay of 132 days.
- 2) Applicant submitted a Response to Notice of Allowance, including payment of the issue fee and a Response to 'Reasons for Allowance' on November 24, 2003. The PTO received the response on December 1, 2003. Copies of the documents and the date-stamped postcard are attached hereto. Applicant respectfully disagrees with the calculated Applicant Delay of 120 days and hereby requests reconsideration of the patent term adjustment.

REMARKS

A Notice of Allowance was mailed on August 22, 2003. Applicant filed a Response to Notice of Allowance on November 24, 2003, as indicated in a Certificate of Mailing under 37 CFR §1.8(a) on the first page of the document. Applicant's response to the Notice of Allowance was timely, as the three-month period for reply ended on Saturday, November 22, 2003. Allowing for the three (3) business days of mail delay, consistent with the Official Gazette Notice dated January 15, 2002, Applicant's response should have been received not later than November 27, 2003. The Patent Office stamped the receipt date of December 1, 2003, on the return receipt postcard (copy enclosed). Applicant kindly requests removal of four (4) days of Applicant delay due to this postal delay.

Along with the Response to Notice of Allowance, Applicant filed a Response to 'Reasons for Allowance' on November 24, 2003, as indicated in a Certificate of Mailing under 37 CFR §1.8(a) on the first page of the document. In the PAIR/PALM Patent Term Adjustment History, the document is entered as a "Miscellaneous Incoming Letter." Pursuant to 37 CFR §1.704(c)(10) or 1247 OG 111 (Notice dated June 26, 2001), a response to the Examiner's reasons for allowance does not cause interference or delay and will not be considered a "failure to engage in reasonable efforts" to conclude processing or examination of an application and will not result in reduction of a patent term adjustment. Therefore, Applicant respectfully requests the removal of 111 days of Applicant Delay accorded due to this entry.

In consideration of the events described above, Applicant believes the PTA calculation of 87 days is incorrect. Applicant kindly requests reconsideration of the calculated patent term adjustment to decrease Applicant Delay from 120 days to 5 days, thus increasing the Total PTA from 87 to 202 days.

A copy of each of the following documents is provided herein:

- 1) Issue Notification with Determination of Patent Term Adjustment;
- 2) Response to Notice of Allowance and Response to 'Reasons for Allowance,' mailed November 24, 2003; and,
- 3) PTO date-stamped postcard indicating receipt date as December 1, 2003.

Applicant : Wei-Zhong Li
Serial No. : 10/075,432
Filed : February 12, 2002
Page : 4 of 4

Attorney Docket No.: 13854-010001

Please apply the fee of \$200 required under 37 CFR §1.18(e) to Deposit Account No. 06-1050. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 4 August, 2004

Brian J. Gustafson
Brian J. Gustafson
Reg. No. 52,978

Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, California 94063-1526
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

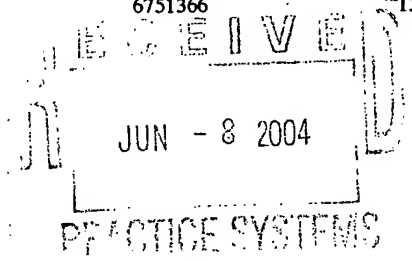


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,432	06/15/2004	6751366	13854-010001	8737

7590 05/27/2004
FISH & RICHARDSON P.C.
60 S. Sixth St.
3300 Dain Rauscher Plaza
Minneapolis, MN 55402



ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 87 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

APPLICANT(S):

Wei-Zhong Li, San Jose, CA;

Docketed By Practice Systems
Action Code: <u>St M Fee</u>
Base Date: <u>6/15/04</u>
Due Date: <u>12/15/07</u>
Deadline: <u>6/15/08</u>
Initial: <u>Vbk</u>

Docketed By Billing Secretary
Due Date: <u>12-15-07</u>
Deadline: <u>6-15-08</u>
Initials: <u>[Signature]</u>



Attorney's Docket No. 13854-010001	Certificate of Mailing	Mailing Date November 24, 2003
Application No. 10/075,432	Filing Date February 12, 2002	Attorney/Secretary Init MDK/ljj

Title of the Invention
MULTI-PORT CIRCULATOR

Applicant
Wei-Zhong Li

Enclosures
Response to Notice of Allowance;
'Reasons for Allowance' transmittal;
Issue Fee Transmittal (Part B);
Check for \$1639.00 (Issue Fee, Publication Fee & patent copies)
Request for Patent Copies (3); and
Return Receipt Postcard

For PTO Use Only
Do Not Mark in This Area

FR FISH & RICHARDSON P.C.

225 Franklin Street
Boston, Massachusetts
02110-2804

C

156002

PAY *ONE thousand - six hundred thirty NINE DOLLARS and* ~~50~~ DOLLARS

TO THE ORDER OF	DATE	AMOUNT
COMMISSIONER OF PATENTS AND TRADEMARKS	11-21-03	1,639.00

FISH & RICHARDSON P.C.

52-153/112



Fleet

Fleet Maine, N.A.
www.fleet.com
South Portland, ME

BY *[Signature]*

13854-010001

⑈ 156002 ⑈ ⑆ 011201539⑆ 80 071 123 ⑈



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wei-Zhong Li
Serial No. : 10/075,432
Filed : February 12, 2002

Art Unit : 2873
Examiner : Unknown
Confirmation No.: 8737
Notice of Allowance Date:

Title : MULTI-PORT CIRCULATOR

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE

In response to the Notice of Allowance mailed August 22, 2003, enclosed are a completed issue fee transmittal form PTOL-85b, a 'Reasons for Allowance' transmittal, a check for \$1639 for the required issue fee, publication fee and patent copies fee.

Please apply any additional charges or credits to our Deposit Account No. 06-1050.

Respectfully submitted,

Mark D. Kirkland
Reg. No. 40,048

Date: November 24, 2003

Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, California 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

50185829.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

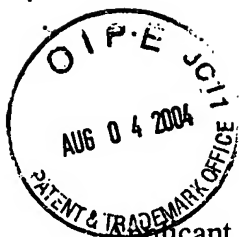
November 24, 2003

Date of Deposit

Signature

Leslie Jennings

Typed or Printed Name of Person Signing Certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wei-Zhong Li
Serial No. : 10/075,432
Filed : February 12, 2002

Art Unit : 2873
Examiner : Unknown
Confirmation No.: 8737
Notice of Allowance Date: August 22, 2003

Title : MULTI-PORT CIRCULATOR

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO 'REASONS FOR ALLOWANCE'

In response to the Reasons for Allowance noted in the Notice of Allowance mailed August 22, 2003 for the above application, Applicant responds to the Examiner's reasons as follows:

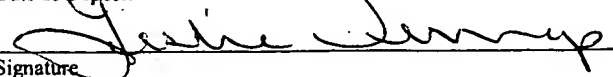
The Examiner indicated that none of the references teach/suggest alone or in combination an extendable four-port circulator or multi-port circulator comprising a first, second & middle birefringent crystal, a first & second non-reciprocal device where first birefringent crystal coupled with first non-reciprocal device and second birefringent crystal coupled to second non-reciprocal device and also the middle birefringent crystal having first, second, third and fourth surface where third surface defining a first and second extension interfaces and fourth surface defining a third and a fourth extension interfaces. Applicant respectfully suggests that though some of the claims as allowed include all of the noted limitations, not all of the allowed claims do so. Accordingly, Applicant respectfully asserts that the claims are allowable for at least the reasons specified in Applicant's prior responses of record in the instant Application.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

November 24, 2003

Date of Deposit

Signature 

Leslie Jennings

Typed or Printed Name of Person Signing Certificate

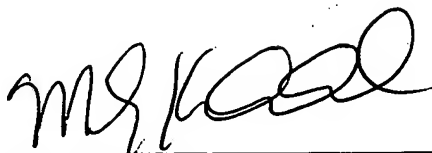
Applicant : Wei-Zhong Li
Serial No. : 10/075,432
Filed : February 12, 2002
Page : 2 of 2

Attorney's Docket No.: 13854-010001

Respectfully submitted,

Date: _____

11/24/02



Mark D. Kirkland
Reg. No. 40,048

Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, California 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

50186492.doc

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
Commissioner for Patents
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590 08/22/2003
FISH & RICHARDSON P.C.
 60 S. Sixth St.
 3300 Dain Rauscher Plaza
 Minneapolis, MN 55402



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Leslie Jennings	(Depositor's name)
<i>[Signature]</i>	(Signature)
November 24, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,432	02/12/2002	Wei-Zhong Li	13854-010001	8737

TITLE OF INVENTION: MULTI-PORT CIRCULATOR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$300	\$1600	11/24/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
ULLAH, AKM E	2874	385-011000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 1 Fish & Richardson P.C.
 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Oplink Communications, Inc.

San Jose, California

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☒ Publication Fee
☒ Advance Order - # of Copies 3

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 06-1030 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) *[Signature]* (Date) 11/24/03
Mark D. Kirkland, Reg. 40,048, November 24, 2003

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

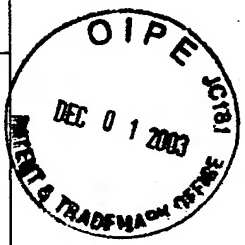
This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)



Mr

Attorney's Docket No. 13854-010001	Certificate of Mailing	Mailing Date November 24, 2003	For PTO Use Only <i>Do Not Mark in This Area</i> 
Application No. 10/075,432	Filing Date February 12, 2002	Attorney/Secretary Init MDK/ljj	
Title of the Invention MULTI-PORT CIRCULATOR			
Applicant Wei-Zhong Li			
Enclosures Response to Notice of Allowance; 'Reasons for Allowance' transmittal; Issue Fee Transmittal (Part B); Check for \$1639.00 (Issue Fee, Publication Fee & patent copies) Request for Patent Copies (3); and Return Receipt Postcard			

Reduction of 9 days .

Sub. 120 TOTAL
added to

✓ JIA

